



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eighth day of November Two Thousand Twenty One

PRESENT

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.20914 of 2021

R.NIKKATH

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
KRISHNAGIRI DISTRICT.
(CR.NO.8 OF 2021)

[RESPONDENT]

For Petitioner : M/S. B.GURUMURTHY Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 471 of IPC, in Crime No.8 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that, now the petitioner is a Manager in State Bank of India at Rasmec-Zuzuvadi Branch, Hosur Division, Krishnagiri. While she was working as Deputy Manager in Mathigiri Branch, Hosur, she sanctioned the alleged loan to one Venkatesh. Based upon the verification of the documents by the Chief Manager, she has sanctioned the loan for purchase of car. Later he was found that the said Venkatesh has also availed a same type of car loan from another branch, which was not to put her knowledge. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case and she is no way connected with the alleged offences. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the investigation is still pending and submits that the petitioner is still in service. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



5. On a perusal of the records, it reveals that the petitioner is now working as Manager in State Bank of India at Rasmec-Zuzuvadi Branch, Hosur Division, Krishnagiri. After scrutinizing of the papers only, she sanctioned the loan amount with bona-fide intention. On considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Krishnagiri, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
08/11/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY



1 THE JUDICIAL MAGISTRATE-II,
KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
KRISHNAGIRI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. B.GURUMURTHY Advocate on payment of necessary
charges SR.NO.12560

CRL OP.20914/2021

Date :08/11/2021

CSK 12/11/2021